

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on March 5, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Cindy Younkin (R)

Members Excused: Rep. Chris Ahner (R)

Members Absent: Rep. Carol Williams (D)

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 186, SB 188, SB 201, SB 191, 2/18/1999
Executive Action: SB 191-Be Concurred In, SB 201-Be Concurred In, SB 188-

Be Concurred in; SB 60-Be
Concurred in as Amended, SB
214-Be Concurred in as Amended

HEARING ON SB 186

Sponsor:

Senator Wells presented SB 186.

{Tape : 1; Side : A; Approx. Time Counter : 30 - 204}

Proponents:

Gary Marbut, Montana Shooting Sports Association

{Tape : 1; Side : A; Approx. Time Counter : 204 - 345}

Bud Elwell, NWACA

{Tape : 1; Side : A; Approx. Time Counter : 345 - 394}

Harry Hollingsworth, Deputy Sheriff-Brady, MT.

{Tape : 1; Side : A; Approx. Time Counter : 394 - 463}

Opponents:

Betty Waddell, Montana Association of Churches

{Tape : 1; Side : A; Approx. Time Counter : 463 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 15}

EXHIBIT (juh50a0

1)

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 15 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 54}

Closing by Sponsor:

Senator Wells made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 54 - 118}

HEARING ON SB 188

Sponsor:

Senator Beck presented SB 188.

{Tape : 2; Side : A; Approx. Time Counter : 118 - 147}

Proponents:

John Connor, Dept of Justice, Montana County Attorneys Assoc.

{Tape : 2; Side : A; Approx. Time Counter : 147 - 247}

Marty Lambert, Gallatin County Attorney

{Tape : 2; Side : A; Approx. Time Counter : 247 - 278}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 278 - 460}

Closing by Sponsor:

Senator Beck made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 460 - 550}

HEARING ON SB 201

Sponsor:

Senator McNutt presented SB 201.

{Tape : 2; Side : B; Approx. Time Counter : 0 - 10}

Proponents:

Greg Petesch, Code Commissioner

{Tape : 2; Side : B; Approx. Time Counter : 10 - 53}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

Senator McNutt made closing statements.

{Tape : 2; Side : B; Approx. Time Counter : 53 - 66}

HEARING ON SB 191

Sponsor:

Senator Jabs presented SB 191.

{Tape : 2; Side : B; Approx. Time Counter : 66 - 88}

Proponents:

Greg Petesch, Code Commissioner

{Tape : 2; Side : B; Approx. Time Counter : 88 - 104}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 104 - 121}

Closing by Sponsor:

Senator Jabs made closing statements.

{Tape : 2; Side : B; Approx. Time Counter : 121 - 131}

EXECUTIVE ACTION ON SB 191

Motion/Vote: REP. YOUNKIN moved that SB 191 BE CONCURRED IN.

Motion carried 12-0.

(Rep. Ahner, Eggers, Gallus, Gutsche, Kitzenberg, Molnar, Soft Williams absent during vote)

{Tape : 2; Side : B; Approx. Time Counter : 131 - 999}

EXECUTIVE ACTION ON SB 201

Motion/Vote: REP. YOUNKIN moved that SB 201 BE CONCURRED IN.

Motion carried 12-0.

(Rep.s Ahner, Eggers, Gallus, Gutsche, Kitzenberg, Molnar, Soft and Williams absent during voting)

{Tape : 2; Side : B; Approx. Time Counter : 173 - 182}

EXECUTIVE ACTION ON SB 188

Motion/Vote: REP. SHOCKLEY moved that SB 188 BE CONCURRED IN.

Motion carried 12-1, with Hurdle voting no

(Reps. Ahner, Gallus, Gutsche, Kitzenberg, Molnar, soft, Williams absent during voting.)

{Tape : 2; Side : B; Approx. Time Counter : 182 - 248}

EXECUTIVE ACTION ON SB 186

Motion: REP. ANDERSON moved that SB 186 BE CONCURRED IN.

Rep. Anderson later withdrew his motion; postponed to a late date.

{Tape : 2; Side : B; Approx. Time Counter : 248 - 456}

EXECUTIVE ACTION ON SB 60

Motion: REP. FACEY moved that SB 60 BE CONCURRED IN.

Motion/Vote: REP. NOENNIG moved that SB 60 BE AMENDED. Motion carried 15-0.

(Reps. Ahner, Gutsche, Soft, Molnar, Williams absent during voting.)

Motion/Vote: REP. NOENNIG moved that SB 60 BE CONCURRED IN AS AMENDED. Motion carried 15-3 with Clark, Jore, and McGee voting no.

(Reps. Molnar and Ahner absent during voting.)

{Tape : 3; Side : A; Approx. Time Counter : 0 - 370}

EXECUTIVE ACTION ON SB 214

Motion: REP. YOUNKIN moved that SB 214 BE CONCURRED IN.

Motion/Vote: REP. YOUNKIN moved that SB 214 BE AMENDED. Motion carried 15-3 with Gallus, Jore, and McGee voting no.

(Reps. Ahner and Molnar absent during voting.)

Motion/Vote: REP. YOUNKIN moved that SB 214 BE CONCURRED IN AS AMENDED. Motion carried 11-8 with Ahner, Anderson, Curtiss, Eggers, Hurdle, Jore, McGee, and Wyatt voting no.

(Rep. Molanr absent during voting.)

{Tape : 3; Side : A; Approx. Time Counter : 370 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 55}

Meeting adjourned.

ADJOURNMENT

Adjournment: 11:00 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh50aad)